

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION**

**DAVID E. MACK**

**Plaintiff,**

**VS.**

**I.C. SYSTEM, INC.**

**Defendant.**

§  
§  
§  
§  
§  
§  
§  
§

**Case No. 4:13cv615**

**SCHEDULING ORDER**

After reviewing the report from the parties required by Fed. R. Civ. P. 26(f) and after consulting with the parties by mail or a scheduling conference, the Court hereby enters the following Scheduling Order pursuant to this Court's Local Rule CV-16 and Fed. R. Civ. P. 16:

- (1) Other parties shall be joined pursuant to Fed. R. Civ. P. 19 and 20 by **February 20, 2014**. A motion for leave to add parties is not necessary provided parties are added by this date, otherwise leave of court is required.
- (2) Amended pleadings shall be filed by **June 24, 2014**. This includes, but is not limited to cross-claims, counter-claims, defenses, affirmative defenses, causes of action, remedies requested, and relief requested. A motion for leave to amend is not necessary.
- (3) All motions to transfer, motions to remand, motions to dismiss, motions for summary judgment, or other dispositive motions, shall be filed by **August 15, 2014**. Unless leave of court is first obtained, a party may file no more than one motion for summary judgment.
- (4) Disclosure of expert testimony pursuant to Fed. R. Civ. P. 26(a)(2) and Local Rule CV-26(b) shall be made by the plaintiff by **May 28, 2014**, and by the defendant by **June 24, 2014**. Thereafter, each party shall have until **July 24, 2014** to object to any other party's expert witnesses. Such objections shall be made by a motion to strike or limit expert testimony and shall be accompanied by a copy of the expert's report in order to provide the Court with all of the information necessary to make a ruling on any objection.
- (5) Pretrial disclosure pursuant to Fed. R. Civ. P. 26(a)(3) shall be made by the plaintiff by **September 15, 2014**, and by the defendant by **September 29, 2014**.

- (6) All fact discovery shall be commenced in time to be completed by **July 31, 2014**. In the event a discovery dispute arises, the court encourages the parties to contact the undersigned telephonically or, if it is an appropriate matter for the Discovery Hotline, to use the Discovery Hotline *before* filing a discovery motion to immediately obtain a ruling on discovery disputes. See LOCAL RULE CV-26(e).
- (7) This case shall be mediated by **August 6, 2014**. If the parties agree on a mediator, they shall so notify the Court of the name, address, and telephone number of the attorney-mediator by **July 9, 2014**. If the parties cannot agree on a mediator, they shall notify the Court by the selection deadline so that the Court can select a mediator.
- (8) Two copies of the Joint Final Pretrial Order prepared in accordance with Local Rule CV-16(b) and Joint Proposed Jury Instructions and Verdict Form (or proposed Findings of Fact and Conclusions of Law in nonjury cases) shall be delivered by the plaintiff to the Court by **October 27, 2014**. In order to enable the plaintiff to prepare and deliver the Joint Final Pretrial Order and Joint Proposed Jury Instructions and Verdict Form (or proposed Findings of Fact and Conclusions of Law in nonjury cases) to the Court, and to enable the defendant and any third parties to participate in the preparation of such documents, the plaintiff shall provide the plaintiff's share of the necessary information to all other parties by **October 13, 2014**. Thereafter, all defendants and third parties shall provide their share of the information to plaintiff by **October 20, 2014**.
- (9) Any motions in limine shall be filed by **October 3, 2014**. Responses to motions in limine shall be filed within the time provided by Local Rule CV-7.
- (10) This case is set for a Final Pretrial Conference and Trial Scheduling on **November 3, 2014**.

**SO ORDERED.**

**SIGNED this 15th day of January, 2014.**

  
\_\_\_\_\_  
DON D. BUSH  
UNITED STATES MAGISTRATE JUDGE